

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
EUGENE DIVISION

UNITED STATES OF AMERICA,

Case No. 6:16-cr-00097-AA  
**ORDER AND OPINION**

v.

JAYDEN CHARPILLOZ,

Defendant,

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AIKEN, District Judge:

The Court heard oral argument on the defendants' Motion to Reduce Sentence Pursuant to 18 U.S.C. § 3582(c)(1)(A)(i) on February 22, 2021. Doc. 57. Defendant is currently being held in state custody while serving a twenty month in-custody sentence pursuant to a conviction in Deschutes County Circuit Court Case No. 20CR01271 for sexual abuse in the second degree. Defendant received that sentence while serving a five-year term of probation to this Court. Following that disposition, this Court imposed a twelve month in-custody sentence as a sanction for defendant violating the terms of his probation by committing a new crime. This Court ordered

that the federal sentence run concurrent with defendant's state sentence. Because defendant would serve a three-year term of supervised release under Oregon state supervision, this Court did not impose any further federal supervision.

First, the Court finds that defendant's motion for compassionate release is properly before it. *See United States v. Olawoye*, 477 F. Supp. 3d 1159, 1162 (D. Or. 2020); *Albury v. United States*, 2020 WL 6779643, at \*3 (E.D. Va. Oct. 23, 2020).

Based on the filings and oral presentations from both parties, and after full consideration of the relevant factors under 18 U.S.C. § 3553(a), the Court finds that extraordinary and compelling reasons, based on defendant's health conditions in the face of the current pandemic caused by the 2019 novel coronavirus, warrant a reduction of defendant's sentence to time served. *See* U.S.S.G. § 1B1.13 comment. n.1(A). Further, this sentence reduction is consistent with the currently applicable U.S. Sentencing Commission policy statements. Specifically, as defendant will remain in state custody and serve a term of state supervision following his release, the Court finds that defendant will not pose a threat to the community under 18 U.S.C. § 3142(g). Accordingly, defendant's motion (Doc. 57) is GRANTED.

IT IS SO ORDERED.

Dated this 22nd day of February 2021.

/s/Ann Aiken  
Ann Aiken  
United States District Judge